

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

BRIAN DENKER,

Debtor.

Chapter 7

Case No.: 15-41069-cec

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**APPLICATION FOR THE RETENTION OF CERTILMAN BALIN ADLER & HYMAN,  
LLP, AS ATTORNEYS FOR THE TRUSTEE**

TO: THE HONORABLE CARLA E. CRAIG  
CHIEF UNITED STATES BANKRUPTCY JUDGE  
EASTERN DISTRICT OF NEW YORK

The Application of Richard J. McCord, as Chapter 7 Trustee of the above-captioned Debtors respectfully represents as follows:

1. On March 13, 2015, (“Filing Date”), Brian Denker (the “Debtor”) filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code.
2. Pursuant to Court Order dated October 1, 2015, the Debtor’s case was converted to one under Chapter 7.
3. Pursuant to the Notice of Appointment dated October 2, 2015, Richard J. McCord was appointed Trustee for the Estate of the above-captioned Debtor and is now qualified to act as such Trustee.
4. As Trustee, I submit this Application to retain the law firm of Certilman Balin Adler & Hyman, LLP (“Certilman”), as counsel for the Trustee given their experience representing Chapter 7 Trustees. I am also a member of Certilman.
5. This Application is made pursuant to 11 U.S.C. §327(a) and E.D.N.Y LBR 2014-1 which requires that an attorney be retained by Order of this Court.

6. Jaspreet S. Mayall, Esq., and myself as members of Certilman, have had extensive experience in Bankruptcy related proceedings. We and our associates are needed to assist the Trustee in effectively liquidating the estate, particularly in the areas of unlawful and improper transfers which may have been made during the course of bankruptcy, as well as the general representation of the Trustee before the Bankruptcy Court. Their experience will streamline and effectuate a quick resolution of the case and will allow the Trustee to maximize the assets of the estate for the benefit of creditors.

7. To the best of applicant's knowledge, Certilman has had no connection with the Debtors or any other party affiliated or connected with the Debtors as set forth in the annexed affirmation of Richard J. McCord Esq., a member of Certilman, and is a disinterested person as defined in 11 U.S.C. §101(14).

8. The Trustee desires to retain counsel because of the extensive legal services which I believe will be required with regard to the Debtor's pending matrimonial action, the potential sale of assets and to represent the Chapter 7 Trustee in all litigation that may arise during the administration of the Estate. Compensation to said firm will be made upon proper application to the Bankruptcy Court in accordance with the provisions of the Bankruptcy Code.

9. For the reasons set forth in the accompanying Affirmation of Richard J. McCord, Esq. it is respectfully requested that the retention of Certilman be as of the date I have executed this Application.

10. No prior application for the relief herein requested has been made to this or any other Court of competent jurisdiction.

**WHEREFORE**, Applicant respectfully requests that the Trustee be authorized to retain Certilman, to represent him in this proceeding under Chapter 7 of the Bankruptcy Code, together with such other and further relief as to this Court may seem just and proper under the circumstances.

Dated: East Meadow, New York  
October 12, 2015

/s/ Richard J. McCord  
RICHARD J. MCCORD, ESQ.  
CHAPTER 7 TRUSTEE  
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East Meadow, New York 11554  
516-296-7801